

AB 2652 Domestic Violence Courts

Sponsor: National Organization of Women, San Gabriel Valley / Whittier Chapter

BACKGROUND

Numerous studies have shown that domestic violence is a problem affecting families in a number of destructive ways. Battering is frequently a pattern crime rather than a one-time occurrence. The American Bar Association Commission on Domestic Violence notes that one out of three women will experience at least one physical assault by a partner during adulthood, and in homes where partner abuse occurs, child abuse is 15 times more likely to occur. This victimization of children often results in intergenerational repetition of the cycle of violence.

The National Center for State Courts estimates that the number of court filings involving domestic violence doubled between 1985 and 1997. According to a 1995 U.S. Department of Justice report, when domestic violence cases are included on dockets with other crimes, they are less likely to be treated seriously. Unjust dismissal of low-injury domestic violence cases may escalate into possibly preventable high-injury or homicide cases. Because of this growing awareness by the judicial system of the unique circumstances surrounding domestic violence cases, domestic violence courts are growing in popularity across the country. The National Center for State Courts estimates that there are 200 such courts nationwide.

In 2000, the California Judicial Council prepared a descriptive study of domestic violence courts, finding that 39 courts in the state assign judicial officers to hear special domestic violence calendars, with varying structures and approaches. Due to the limited information available on the effectiveness of various court procedures, the report recommended further study of whether existing domestic violence courts are providing improvements for those participating in the court system.

SPECIFIC PROVISIONS OF AB 2652

AB 2652 would establish an 11-member task force to assess the structure and operations of existing domestic violence courts in order to determine best practices and to recommend model guidelines for such courts. The task force would report its recommendations to the Legislature and the Judicial Council by March 1, 2004.

The task force would be staffed by the Judicial Council and would include seven appointments by the Chief Justice, two appointments by the Governor, and one appointment each by the Assembly Speaker, and the Senate Rules Committee. The task force would include judges, representatives of probation departments, domestic violence advocates, experts, and attorneys who specialize in domestic violence matters.

If you support this legislation, please send letters to:

Assembly Member Judy Chu
State Capitol, Room 5126
Sacramento, CA 95814

For more information, please contact Angela Pan at pan@asm.ca.gov.